

Division of Solid and Hazardous Waste
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Solid Waste Facility Permit

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

**Republic Services of New Jersey, LLC
d/b/a Midco Waste Systems - Raritan Township Facility**

Facility Type: Transfer Station/Materials Recovery Facility
Lot No.: Part of Lot 28
Block No.: 27
Municipality: Township of Raritan
County: Hunterdon
Facility Registration No.: 1021001463

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the State may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

May 9, 2003
Issuance Date

Thomas Sherman
Assistant Director
Office of Permitting &
Technical Programs

May 9, 2008
Expiration Date

Table of Contents

<u>Item</u>	<u>Page</u>
Scope of Permit	3
Section I - General Conditions Applicable to All Facilities	
1. Duty to Comply	5
2. Duty to Reapply	5
3. Need to Mitigate	6
4. Permit Actions	7
5. Signatory Requirements	7
6. Transfers	8
7. Registration Statement	9
8. Duty to Update Disclosure Statement	9
9. Operating Record and Reporting Requirements	10
10. Conformance to the District Solid Waste Management Plan	10
11. Compliance with Other State Regulations and Statutes	11
12. No Change in Waste Identification	11
13. Computerized Scales Requirement	11
Section II - General Operating Requirements	
1. General Operating Requirements for All Solid Waste Facilities	12
2. General Operating Requirements for Transfer Stations and Materials Recovery Facilities	15
Section III - Specific Conditions Applicable to the Facility	
1. Permitted Waste Types	16
2. Approved Designs, Plans and Reports	16
3. Approved Operations	18
4. Construction Requirements	20
5. Additional Requirements	22

Scope of Permit

On July 30, 1999, Raritan Valley Disposal Service Company, Inc. (RVD) submitted an application for a solid waste facility permit to construct and operate a transfer station/materials recovery facility (TS/MRF) at 79 River Road, Raritan Township, Hunterdon County. The site is identified on the municipal tax map as Lot 28 of Block 27. The proposed facility will occupy and be restricted to a specified portion of Lot 28.

At that time, Raritan Valley Recycling, Inc. (RVR) was operating a recycling center for Class A materials on part of Lot 28. The Township Planning Board had approved the operation in December 1990, and the County had approved it in December 1991. The recycling center occupies a 39,215 square foot building, including a two-story section with administrative offices that will also be utilized by the TS/MRF. The proposed 16,980 square foot TS/MRF will be constructed as an extension of the building on the south end.

RVR also held a Recycling Center General Approval for Class B recyclable materials, specifically brush, trees, tree parts, tree stumps, wood pallets and other non-chemically treated wood. This operation is conducted outdoors to the southeast of the Class A facility building and does business as West Jersey Mulch. The Department assigned Facility Number 1021001307 to this recycling center and last renewed its approval in September 2000.

When RVD submitted its application, Lot 28 of Block 27 was owned by W. R. Lalavee Realty Company, Inc., a wholly owned subsidiary of Continental Waste Industries, Inc. Continental was and is a wholly owned subsidiary of Republic Services, Inc. At that time, RVD, RVR, and Republic Services of New Jersey, Inc. were also subsidiaries of Continental. In February 2003, these four entities, among others, were merged into Republic Services of New Jersey, LLC, a new wholly owned subsidiary of Continental. Therefore, this solid waste facility permit is issued to Republic Services of New Jersey, LLC doing business as (dba) Midco Waste Systems - Raritan Township Facility.

The proposed TS/MRF shall receive and process a maximum of 475 tons per day of the following waste types:

A maximum of 175 tons per day of ID 10 Municipal Waste (excluding household wastes),

A maximum of 300 tons per day of ID 13 Bulky Waste, ID 13C Construction and Demolition Waste, and ID 27 Dry Industrial Waste (excluding ID 27A and 27I) in any proportions.

The facility shall receive and process waste in accordance with the following schedule:

7:00 AM to 5:00 PM	Monday through Friday
8:00 AM to 12:00 Noon	Saturday

Exempt vehicles owned by self-generators will be admitted to deposit waste only on Saturday.

Materials recovery shall be conducted to the maximum extent feasible, employing manual and mechanical separation on the tipping floor, then mechanical separation using a "Starscreen" machine, and then final manual separation as material is carried by a conveyor past picking stations. Recovered Class A recyclable materials will be transferred to the adjacent recycling center, while recovered Class B materials other than clean wood will be transported off site to other approved recycling centers or end markets. Clean wood will be taken to the Class B operation on site for further processing.

The TS/MRF facility will direct wastewater generated by wash-down of the floor and from weather run-off to floor drains connected to the sanitary sewer system through a solids/oils separator. An air pollution control system that has an initial stage of filter cartridges and a final activated carbon stage will remove both particulate matter and odors from air exhausted from the building.

The proposed TS/MRF will be adjacent to property that is included on the Township, State, and Federal listings of historic sites. Site-generated traffic will be directed away from the site of a historic residence in order to minimize a negative impact. In order to reduce the potential for accidents, the County has also required that solid waste vehicles not pass by the high school campus.

This permit does not convey any property rights of any sort, or any exclusive privilege. Failure to comply with all of the conditions specified herein may result in revocation of this permit and/or may result in such other regulatory or legal actions which the Department is authorized by law to institute.

Section IGeneral Conditions Applicable to All Facilities1. Duty to Comply

- (a) Pursuant to N.J.A.C. 7:26-2.8(i), the permittee shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11.
- (b) Pursuant to N.J.A.C. 7:26-2.8(j), the permittee shall operate the facility in conformance with all of the conditions, restrictions, requirements and any other provisions set forth in this permit.
- (c) Pursuant to N.J.A.C. 7:26-2.8(k), except for minor modifications as set forth at N.J.A.C. 7:26-2.6(d), the permittee shall not modify, revise or otherwise change any condition of this permit without prior written approval of the Department.

2. Duty to Reapply

- (a) Pursuant to N.J.A.C. 7:26-2.7(b)1, if the permittee wishes to continue the operation of this facility after the expiration date of this permit, the permittee shall apply for permit renewal at least 90 days prior to the expiration date of this permit, and the facility must be included in the District Solid Waste Management Plan at the time of such application.
- (b) Pursuant to N.J.A.C. 7:26-2.7(c), the conditions of this permit shall continue in force beyond the expiration date of this permit pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-11, until the effective date of a new permit if:
 - 1. The permittee has submitted a timely and complete application for a renewal permit pursuant to (a) above; and
 - 2. The Department, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of this permit, due to time or resource constraints.
- (c) Pursuant to N.J.A.C. 7:26-2.7(d), permits continued under said section remain fully effective and enforceable, and if the permittee is not in compliance

with any one of the conditions of the expiring or expired permit the Department may choose to do any or all of the following:

1. Initiate enforcement action based on the permit which has been continued;
2. Issue a notice of intent to deny the new permit under N.J.A.C. 7:26-2.4. If the permit is denied, the permittee would then be required to cease activities and operations authorized by the continued permit or be subject to an enforcement action for operating without a permit;
3. Issue a new permit under N.J.A.C. 7:26-2.4 with appropriate conditions; or
4. Take such other actions as are authorized by N.J.A.C. 7:26-1 et seq. or the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

3. Need to Mitigate

- (a) Pursuant to N.J.A.C. 7:26-2.8(p), should the Department determine that the facility is operating in an environmentally unsound manner, the permittee shall:
 1. Within 90 days of notification by the Department, submit a plan to close or environmentally upgrade the facility in conformance with the applicable standards, as determined by the Department and set forth in N.J.A.C. 7:26-1 et seq.;
 2. Within 90 days of receipt of written approval by the Department of the submitted plan, begin to close or construct the environmental upgrading at the facility; and
 3. Within one year of receipt of written approval by the Department of the submitted plan, complete closure or construction of the environmental upgrading at the facility.
- (b) Pursuant to N.J.A.C. 7:26-2.8(q), a one time extension of the compliance schedule established by N.J.A.C. 7:26-2.8(p) shall be granted by the Department provided the permittee demonstrates that it has made good faith effort to meet the schedule.
- (c) Pursuant to N.J.A.C. 7:26-2.8(r), should the

environmental upgrading required pursuant to N.J.A.C. 7:26-2.8(p) not be completed or should continued operations be determined by the Department to be environmentally unsound despite the implementation of the plan approved pursuant to N.J.A.C. 7:26-2.8(p), the facility shall temporarily or permanently cease operations and close or enter into receivership, as provided for in N.J.S.A. 13:1E-9, for that period of time necessary to rectify the environmentally unsound conditions.

4. Permit Actions

- (a) Pursuant to N.J.A.C. 7:26-2.6(a)1, if cause exists, the Department may modify, or revoke and reissue this permit, subject to the limitations of that section, and may require the permittee to submit an updated or new application in accordance with N.J.A.C. 7:26-2.6(e), if appropriate.
- (b) Pursuant to N.J.A.C. 7:26-2.6(b), the Department may modify or, alternatively, revoke and reissue this permit if cause exists for termination under N.J.A.C. 7:26-2.6(c) and the Department determines that modification or revocation and reissuance is appropriate.
- (c) Pursuant to N.J.A.C. 7:26-2.6(d), upon the request of the permittee, an interested party or for good cause, the Department may make certain minor modifications to a permit without issuing a tentative approval, providing public notice thereof or holding a public hearing thereon.
- (d) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit such facts or information.

5. Signatory Requirements

- (a) All completed registration statements submitted by the permittee shall be signed as specified at N.J.A.C. 7:26-2.4(e)1.
- (b) All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be submitted pursuant to N.J.A.C. 7:26-2.9, 2.10 and 2B.5,

submitted on behalf of the permittee, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2.

- (c) Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e)1 or (e)2, submitted on behalf of the permittee, shall make the certification specified at N.J.A.C. 7:26-2.4(e)3.

6. Transfers

- (a) Pursuant to N.J.A.C. 7:26-2.8(1), the permittee shall not transfer ownership of the permit without receiving prior written approval of the Department, in accordance with N.J.A.C. 7:26-2.7(e).
- (b) Pursuant to N.J.A.C. 7:26-2.7(e)1, a written request for permission to allow any transfer of ownership or operational control of the facility must be received by the Department at least 180 days in advance of the proposed transfer. The request for approval shall include the following:
 - 1. A registration statement, completed by the prospective new permittee on forms provided by the Department;
 - 2. A disclosure statement as required by N.J.A.C. 7:26-16.4 completed by the proposed transferee;
 - 3. A written agreement between the permittee and the proposed new permittee containing a specific future date for transfer of ownership or operations.
- (c) Pursuant to N.J.A.C. 7:26-2.7(e)2, a new owner or operator may commence operations at the facility only after the existing permit has been revoked and a permit is issued pursuant to N.J.A.C. 7:26-2.4.
- (d) Pursuant to N.J.A.C. 7:26-2.7(e)3, the permittee of record remains liable for ensuring compliance with all conditions of the permit unless and until the existing permit is revoked and a new permit is issued in the name of the new owner or operator.
- (e) Pursuant to N.J.A.C. 7:26-2.7(e)4, compliance with the transfer requirements set forth in that subsection shall

not relieve the permittee from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision.

7. Registration Statement

- (a) Pursuant to N.J.A.C. 7:26-2.8(b), prior to May 1 of each calendar year the permittee shall submit to the Department a statement updating the information contained in the permittee's initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this permit.
- (b) Pursuant to N.J.A.C. 7:26-2.8(c), the permittee shall notify the Department in writing within 30 days of any change in the information set forth in the permittee's current registration statement.
- (c) Pursuant to N.J.A.C. 7:26-2.8(d), failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate.

8. Duty to Update Disclosure Statement

- (a) Pursuant to N.J.A.C. 7:26-16.6(b), the permittee and/or facility operator shall report to the Department and the Attorney General within 30 days any changes or additions in the information required to be included in the disclosure statement, as specified at N.J.A.C. 7:26-16.6.
- (b) Pursuant to N.J.A.C. 7:26-16.6(c), the permittee and/or facility operator shall report any other changes in the information contained in the permittee's disclosure statement currently on file with the Department and the Attorney General in an annual update to be filed with the Department at the time of the permittee's annual renewal of its registration with the Department, as specified at N.J.A.C. 7:26-16.6.

9. Operating Record and Reporting Requirements

- (a) The permittee shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a).
- (b) The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b).
- (c) The permittee shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c).
- (d) The permittee shall submit monthly summaries of wastes received to the Division of Solid and Hazardous Waste, Bureau of Recycling and Planning, and the Solid Waste Coordinator for the Hunterdon County District, on forms provided by the Department (or duplicates of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e).
- (e) Pursuant to N.J.A.C. 7:26-6.4, upon request by the Department, the permittee shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes.

10. Conformance to the District Solid Waste Management Plan

Pursuant to N.J.A.C. 7:26-6.12(b), the permittee shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the permittee fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the permittee shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations.

11. Compliance with Other State Regulations and Statutes

Pursuant to N.J.A.C. 7:26-2.8(h), the issuance of this permit shall not exempt the permittee from obtaining all other permits or approvals required by law or regulations.

12. No Change in Waste Identification

Pursuant to N.J.A.C. 7:26-2.13(c), the permittee shall designate waste remaining after processing, within the O and D form and the daily record of the facility, as the same waste type as originally received at the facility.

13. Computerized Scales Requirement

Pursuant to N.J.A.C. 7:26-2.13(a)8, the permittee shall install and operate computerized scales for the reporting requirements in N.J.A.C. 7:26-2.13.

End of Section I

Section II

General Operating Requirements

1. General Operating Requirements For All Solid Waste Facilities

Pursuant to N.J.A.C. 7:26-2.11, the facility must be operated in compliance with the following general operating requirements:

- (a) Within each 24 hour period the operator shall clean each area where waste has been deposited or stored.
- (b) No waste shall be stored overnight at the facility without effective treatment to prevent odors associated with putrefaction.
- (c) Facility property surrounding the actual disposal area shall be maintained free of litter, debris, and accumulations of unprocessed waste, process residues and effluents. Methods of effectively controlling wind-blown papers and other lightweight materials such as fencing shall be implemented at the facility.
- (d) Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration.
- (e) The operation of the facility shall not result in the emission of air contaminants in violation of N.J.A.C. 7:27-5.2(a).
- (f) The operator shall maintain all facility systems and related appurtenances in a manner that facilitates proper operation and minimizes system downtime. When requested, the operator of the facility shall furnish proof that provisions have been made for the repair and replacement of equipment which becomes inoperative.
- (g) An adequate water supply and adequate fire-fighting equipment shall be maintained at the facility or be readily available to extinguish any and all types of fires. Fire-fighting procedures as delineated in the approved O and M manual, including the telephone numbers of local fire, police, ambulance and hospital facilities, shall be posted in and around the facility at all times.

- (h) The operator shall effectively control insects, other arthropods and rodents at the facility by means of a program in compliance with the requirements of the New Jersey Pesticide Control Code, N.J.A.C. 7:30, and implemented by an applicator of pesticides, certified in accordance with the New Jersey Pesticide Control Code, N.J.A.C. 7:30.
- (i) Only solid waste vehicles properly registered, pursuant to N.J.A.C. 7:26-3, with the Division of Solid and Hazardous Waste, unless exempt from the registration requirement pursuant to N.J.A.C. 7:26-3.3, and displaying the appropriate registration number and solid waste decal shall be admitted for loading or unloading of any solid waste at the facility. Solid waste vehicles exempt from registration pursuant to N.J.A.C. 7:26-3.3, or those which must be manually unloaded, shall not be admitted to the tipping area when registered, commercial type solid waste vehicles including, but not limited to, compactor trucks, trailers or any solid waste vehicle that tilts or uses other mechanical means to discharge its solid waste are being unloaded, or when other heavy equipment is being operated in the tipping area. The facility shall be sufficiently staffed to ensure that this requirement is not violated.
- (j) The operator shall designate a secure area under the facility's control, located a safe distance from the tipping area, where solid wastes may be unloaded from those solid waste vehicles which are either exempt from the registration requirements of N.J.A.C. 7:26-3.3 or which must be manually unloaded. Bulky items and recyclable materials may be provided for in this manner. It shall be the operator's responsibility to remove the bulky items, recyclable materials or other waste from the designated area at a frequency so as not to exceed the storage capacity of the areas.
- (k) The operator shall at all times comply with the conditions of the SWF permit, as well as all other permits or certificates required and issued by the Department or any other Federal or State authority. The operator shall not receive, store, handle, process or dispose of waste types not specifically identified in the SWF permit or other permit or certificate issued by the Department.
- (l) The operator shall designate a secure area under the facility's control, located a safe distance from the

active disposal area, where solid waste, including suspected hazardous waste, which the facility is not permitted to receive shall be deposited until the operator receives instruction from the Department as to the proper disposal of the unpermitted waste.

- (m) The operator shall maintain a record of the quantity of each authorized waste type accepted for disposal, in accordance with N.J.A.C. 7:26-2.13.
- (n) Departmental inspectors shall have the right to enter and inspect any building or other portion of the facility, at any time. This right to inspect includes, but is not limited to:
 - 1. Sampling any materials on site;
 - 2. Photographing any portion of the facility;
 - 3. Investigating an actual or suspected source of pollution of the environment;
 - 4. Ascertaining compliance or non-compliance with the statutes, rules, or regulations of the Department, including conditions of the SWF permit or other permit or certificate issued by the Department; or
 - 5. Reviewing and copying all applicable records, which shall be furnished upon request and made available at all reasonable times for inspection.
- (o) The quantity of waste received by the facility operator shall not exceed the system's designed handling, storage, processing or disposal capacity as identified in the SWF permit or other permit certificate. The designed processing and disposal capacity approved within the solid waste facility permit, or any other permit certificate or approval conditions as a ton per day operational maximum shall be inclusive of all solid waste received at the facility as well as all tonnages of source separated recyclables received.
- (p) The facility shall be operated in a manner that employs the use of the equipment and those techniques for the receipt, storage, handling, processing or disposal of incoming waste and process residues that are specifically authorized by the SWF permit.
- (q) The operator shall provide a means of removing mud, solid waste or other debris from the tires of all

vehicles. Vehicle tires shall be cleaned prior to the vehicle's departure from the facility's boundaries.

- (r) The approved final O and M manual shall be maintained at the facility. A written description of any proposed changes to the approved, final O and M manual shall be submitted to the Department for review. These proposed changes shall not be implemented at the facility until the Department approves the changes.

2. General Operating Requirements for Transfer Stations and Materials Recovery Facilities

- (a) At no time shall ID27 solid waste be subject to mechanized processing, such as grinding, shredding or baling, such that the physical appearance of the material is altered prior to disposal at a designated district facility.
- (b) All facility processing, tipping, sorting, loading, storage and compaction of materials (that is, solid waste and mixtures of solid waste and recyclable materials) shall occur within the confines of an enclosed building.
- (c) The installation, maintenance, operation, and repair of all systems identified within the interior layout of the facility shall comply with the requirements established by the Federal Occupational Health and Safety Administration and the New Jersey Worker and Community Right to Know Act.
- (d) The queuing and staging of solid waste vehicles on any public roadway is prohibited.
- (e) The queuing and staging of solid waste vehicles shall be conducted in accordance with the approved on-site queuing plan for the facility so as to prevent traffic backups and related traffic hazards on access roads servicing the facility.

End of Section II

Section IIISpecific Conditions Applicable to the Facility1. Permitted Waste Types

The permittee is authorized to accept the following waste types:

- ID 10: Municipal Waste (Commercial and Institutional only)
- ID 13: Bulky Waste
- ID 13C: Construction and Demolition Waste
- ID 27: Dry Industrial Waste (Except ID 27A and ID 27I)

The permittee is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at 40 CFR 261.3.

2. Approved Designs, Plans and Reports

(a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26-1 et seq., the conditions of this permit, and the following permit application documents which are incorporated herein by reference and shall be revised as necessary in accordance with the Conditions stated in sections III.4 and III.5:

1. "Environmental and Health Impact Statement" dated December 1999.
2. "Engineer's Report" dated December 1999.
3. "Operations and Maintenance Manual" dated December 1999.
4. "Site Plan Map and Traffic Plan," Sheet S-2, Revision 1 Dated 7/14/00, prepared by Killam Associates, signed and sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226.
5. "Landscaping Plan," Sheet S-3, Revision 1 Dated 7/14/00, prepared by Killam Associates, signed and sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226.
6. The following maps, each Revision 2, dated 7/14/00,

prepared by Killam Associates, signed and sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226:

- a. "Key Map - Location/Zoning Plan," Sheet 1.
- b. "Key Map - Location/Zoning Plan," Sheet 2.
- c. "Key Map - Vicinity Map," Sheet 3.
- d. "Key Map - Geologic Map," Sheet 4.
- e. "Flood Plain/Wetlands Map," Sheet 5.
- f. "Key Map - Soils Map," Sheet 6.

7. The following design drawings prepared by Killam Associates:

- a. "Title Page," Sheet T-1, Dated 12/99, Signed and Sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226.
- b. "Site Plan," Sheet S-1, Revision 3 Dated 6/24/02, Signed and Sealed 7/9/02 by M. Brendan Mullen, P.E., NJ License 38346.
- c. "Grading, Drainage & S.E.S.C. Plan," Sheet S-4, Revision 1 Dated 7/14/00, Signed and Sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226.
- d. "Floor Plan," Sheet AR-1, Revision 2 Dated 9/5/01, Signed and Sealed 9/13/01 by Robert J. Lynes, P.E., NJ License 28226.
- e. "Elevations Plan," Sheet AR-2, Revision 1 Dated 7/14/00, Signed and Sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226.
- f. "Equipment Floor Plan," Sheet EQ-1, Revision 3 Dated 6/24/02, Signed and Sealed 7/9/02 by M. Brendan Mullen, P.E., NJ License 38346.
- g. "Equipment," Sheet EQ-2, Revision 2 Dated 9/5/01, Signed and Sealed 9/13/01 by Robert J. Lynes, P.E., NJ License 28226.
- h. "Equipment," Sheet EQ-3, Revision 1 Dated 7/14/00, Signed and Sealed 7/17/00 by Robert J. Lynes, P.E., NJ License 28226.
- i. "Dust Collection Plan," Sheet EQ-4, Revision 3 Dated 10/2/02, Signed and Sealed 10/3/02 by M. Brendan Mullen, P.E., NJ License 38346.

In case of conflict, the provisions of N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this permit, the conditions of this permit shall have precedence over the SWF permit application documents listed above, and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs.

- (b) One complete set of the permit application documents

listed in Condition 2(a) above, this Solid Waste Facility Permit, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials.

3. Approved Operations

(a) The permittee may accept a maximum of 475 tons of solid waste on any operating day. The 475 tons shall be comprised of 300 tons maximum of waste types ID 13, ID 13C, and ID 27 in any proportions and 175 tons maximum of non-residential waste type ID 10. No source separated recyclable material may be accepted. The solid waste shall be deposited only on those areas within the building which have been specifically identified in the approved design drawings for such purposes. The permittee shall process the amount of solid waste received by the end of each operating day. No solid waste shall remain on the tipping floor overnight.

(b) The permittee shall accept and process solid waste at the facility from properly registered solid waste vehicles in accordance with the following schedule:

Monday through Friday	7:00 AM to 5:00 PM
Saturday	8:00 AM to 12:00 Noon

The permittee shall accept solid waste from exempted vehicles only on Saturday. Such vehicles shall enter the tipping area through only the southernmost door.

(c) The permittee shall schedule the waste deliveries to the facility in such a manner as to minimize truck queuing on the facility property. The permittee shall stage vehicles in accordance with the queuing plan provided in the Operations & Maintenance Manual and drawing S-2 referenced in Condition 2(a) of this Section. Under no circumstances shall solid waste vehicles accessing or exiting the facility be allowed to park or queue on any public road.

(d) The permittee shall inspect each incoming waste load to identify the incidence of designated recyclable materials mandated to be source separated by the District Recycling Plan applicable to the point of origin of the waste load. The permittee shall consult with each county recycling coordinator for the facility's service area on a quarterly basis to review

those recyclable materials that are designated by each county to be source separated pursuant to N.J.S.A. 13:1E-99.13(b)2. Should any designated recyclable materials be detected in a delivered waste load, the appropriate county recycling coordinator shall be notified in writing. The permittee shall maintain a copy of each such notification at the facility. Whenever possible, the generator who failed to source separate the recyclable materials shall also be identified and reported to the county recycling coordinator.

- (e) In the event of a facility outage or other significant malfunction which would result in the facility's inability to process waste at a rate equal to or exceeding the rate of incoming waste, the operator shall immediately report such situation or event to the Department's Hotline: (877) 927-6337 [(887) WARN DEP].
- (f) The permittee shall inform all solid waste vehicle operators in writing as follows:

Such vehicles are prohibited from traveling on County Route 523 from its intersection with State Route 31 and its intersection with River Road.

Such vehicles are prohibited from traveling on River Road south of the facility.

The permittee shall post an updated copy of drawing 1B at the facility which depicts the two prohibitions stated above and also recommended off-site routes to and from the facility. As improvements such as traffic signals, turning lanes, roadway widenings etc. may be made, the permittee shall prepare a new updated copy of drawing 1B for posting. The permittee shall also submit two copies of each such drawing to the Chief, Bureau of Hazardous Waste and Transfer Facilities.

- (g) The permittee may conduct materials recovery operations as follows:
 - 1. The permittee shall recover recyclable materials in accordance with Sections 3.1.2 and 3.1.3 of the Operations and Maintenance manual. Materials for which markets or end uses have been identified may be recovered. These include "white goods," wood, ferrous and non-ferrous metals, asphalt, concrete, brick, block, other masonry, glass and plastics. The recovered materials shall be stored in roll-off containers within the building pending transportation

to a recycling center or final market destination.

2. The permittee shall not accept any waste load from a commercial or institutional generator for recovery of designated recyclable materials mandated to be source separated at the point of origin unless the facility has received documentation from the generator that the generator's municipality has granted the generator an exemption from the requirement to source separate the designated recyclable materials from the solid waste stream. The permittee shall maintain a copy of each such documentation of exemption at the facility. Additionally, for each such commercial or institutional generator from which the permittee accepts a waste load for recovery of designated recyclable materials, the permittee shall provide reports to the generator's municipality, annually or as otherwise requested by the municipality, identifying the generator, the quantity (in tons) of the waste loads received from the generator and the quantity (in tons) of each of the designated recyclable materials actually recovered from those waste loads.
 3. The permittee shall maintain contracts or letters of agreement with end markets, manufacturers and approved recycling centers for the disposition of all recovered materials. The permittee shall notify the Department within one week of changes in the status of existing contracts or the addition of any new contracts or letters for the disposition of recovered materials. Such notice shall include documentation of the changed status or a copy of the new contract or letter of agreement.
- (h) The Permittee shall operate and maintain the facility's air pollution control equipment in accordance with the manufacturer's standard operating and maintenance procedures as stated in the Operations and Maintenance manual. The air pollution control system shall be turned on and functioning properly when solid waste is stored and/or processed within the building.

4. Construction Requirements

- (a) The permittee is authorized to construct the facility as described in the Engineer's Report and engineering drawings listed in Condition 2(a) of this Section, subject to the following requirements:

1. Prior to initiating any construction activity, the permittee shall obtain all necessary permits and approvals required for construction, and shall submit a copy of each to the Chief, Bureau of Hazardous Waste and Transfer Facilities.
 2. Within sixty (60) days of the date of issuance of this permit, the permittee shall submit to the Department a Gantt Chart schedule for all proposed construction activities. Calendar dates must be shown. It shall be understood that compliance with this schedule shall be regarded as an enforceable condition of this permit.
- (b) Within thirty (30) days of the date of issuance of this permit, the permittee shall submit to the Planning Board, Township of Raritan a revision to the "Site Plan" drawing S-1 that implements the following design change referenced by Superior Court Judge Helen Hoens in her January 3, 2002 decision (Docket No. SOM-L-463-01):
- "...the existing driveway accessing the property had always been in partial violation with respect to setback from the side lot line, a defect that Raritan Valley agreed to remedy into conformance...."
- Further, within thirty (30) days of the Board's approval of the design modification, the permittee shall complete all construction needed to effect it.
- (c) Within sixty (60) days of the date of issuance of this permit, the permittee shall submit to the Department revisions to drawings S-1, S-2, S-3, and S-4 that show:
- The proposed construction of the entrance driveway per Condition 4(b) above, and
- The proposed extension of the westerly property line fence to the northwest corner of Lot 28.
- (d) Within thirty (30) days of completion of construction projects, the permittee shall submit to the Department, by Certified Mail or hand delivery, written certification from both the permittee and a licensed professional engineer registered in the State of New Jersey, that the construction has been completed in

accordance with the designs approved by the Department. The written certifications shall be in conformance with the requirements cited in Condition 5(c) of Section I of this permit, and shall be accompanied by a set of "as built" construction drawings signed and sealed by the licensed professional engineer.

5. Additional Requirements

- (a) All air pollution control equipment must be installed and fully operational prior to initiating transfer station/materials recovery facility operations.
- (b) The permittee shall submit a final Operations and Maintenance manual to the Chief, Bureau of Hazardous Waste and Transfer Facilities subsequent to completion of construction and equipment installation and no less than sixty days prior to initiating transfer station/materials recovery facility operations. Such operations shall not be initiated before the Bureau issues approval of the manual.
- (c) The permittee shall conduct a sound level survey thirty (30) days after initiating transfer station/materials recovery facility operations in order to demonstrate compliance with N.J.A.C. 7:29, the New Jersey Noise Control regulations. The permittee shall submit a noise survey report to the Bureau within thirty (30) days of completing the survey.
- (d) The permittee shall submit a copy of the Certificate of Public Convenience and Necessity to the Chief, Bureau of Hazardous Waste and Transfer Facilities when it is issued by the Bureau of Solid Waste Regulation.